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Mr. Himes conducted the meeting and called the meeting of the Tipp City Restoration and Architectural Board of Review to order on Tuesday, January 22nd, 2008 at 7:33 p.m. Other Board members in attendance included: Janine Wert, Adam Blake, David Watkins, Rodney Kidwell, and Joe Bagi. Also in attendance were City Planner/Zoning Administrator Matthew Spring and Board Secretary Kimberly Patterson.

Citizens signing the register: Yvonne Lemming, Ellen Linkmeyer, and Kristin Mantia.

Oath of Office for New Board Members

Kimberly Patterson, notary, swore in Mr. Himes, Mrs. Wert, and Mr. Watkins.

Elections

Mr. Himes declared the floor open for nominations.

Mr. Kidwell **moved to nominate Mrs. Wert for Board Chairperson**, seconded by Mr. Blake. **Motion carried.** Ayes: Kidwell, Blake, Bagi, Watkins, and Himes. Nays: None. Mrs. Wert abstained from the vote.

Mr. Blake **moved to nominate Mr. Bagi for Board Vice Chairman**, seconded by Mr. Kidwell. **Motion carried.** Ayes: Blake, Kidwell, Wert, Himes, and Watkins. Nays: None. Mr. Bagi abstained from the vote.

Mr. Bagi **moved to nominate Mr. Blake for Board Vice Chairman**, seconded by Mrs. Wert. **Motion failed.** Ayes: Bagi, and Wert. Nays: Watkins, Himes, Blake, Kidwell.

Mr. Himes declared the floor closed for nominations.

Absence

There was none.

Minutes

Chairperson Wert asked for discussion. There being none, Mr. Blake **moved to approve the November 27, 2007, meeting minutes as written**, seconded by Mr. Himes. **Motion carried.** Ayes: Blake, Himes, Bagi, Kidwell, and Wert. Nays: None. Mr. Watkins abstained from the vote.

Citizens Comments Not on the Agenda

There was none.

Chairperson Wert explained the guidelines and procedures for the meeting. She noted that once the Board made a decision the applicant/interested party had ten days to file an appeal to the Board of Zoning Appeals. After the 10-day waiting period had expired, the applicant may file for the appropriate permits.

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New Business

A. Kristin Mantia - 134 E. Main Street, Tipp City, OH - (Tony's Bada Bing) - Lot: Inlot 3627 - The applicant requested Restoration Board approval for the installation of a roof/awning structure at the southeast corner of the property located at 132-134 E. Main Street of Tony's Bada Bing Tavern.

Present zoning district: CC/RA- Community Center/Old Tippecanoe City Restoration and Historic District

Section(s): §154.052(H)(1)(b)

Mr. Spring stated that the applicant requested Restoration Board approval of the installation of a roof/awning structure at the southeast corner of the property located at 132-134 E. Main Street of Tony's Bada Bing Tavern. The roof/awning structure would be used to provide a roofed shelter area within the fenced patio/courtyard area approved by Restoration Board on June 26, 2007. Staff noted that the roof/awning structure was constructed without required Restoration and Planning Board approvals. This construction occurred due to a misunderstanding by the applicant that the roof/awning structure did not require any further Board approvals since it would be constructed inside of the existing (and previously approved) fence line.

Mr. Spring also stated that the roof/awning structure was 27' x 13.5' (364.5 square feet) and was constructed of corrugated sheet metal and was supported by four (4) 4x4 posts, 8' on center. The roof/awning structure was 13' in height, attached to the adjacent structure on its western edge (eastern façade of the existing building), was sloped easterly, and included a gutter and downspout, and an opening for an existing ventilation hood.

Mr. Spring noted that the Planning Board granted site plan approval for the roof/awning structure at their January 8, 2008 meeting. If the proposed roof/awning structure was approved by the Restoration Board, the applicant would be required to obtain a Zoning Compliance Permit and an approved Building Permit from the Miami County Building Regulations Department.

Mr. Spring also noted that Section 154.052(H)(1)(b) states:

1. It shall be the duty of the Restoration Board to review all plans for the construction, alteration, repair, moving, and demolition of the structures in the district. The Restoration Board shall also act as advisor to the City Planning Board and City Council. The Restoration Board shall:
 - b. Determine whether any proposed activity and the results thereof will be appropriate to the preservation of said district within the intent of this section, and the guidelines adopted by the Restoration Board.

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Mr. Spring provided information regarding signage, per the Guidelines Booklet, to the Board Members in their staff reports for their review.

Ms. Kristin Mantia approached the dais and stated that after the approval from the previous application for the fence it was her understanding that the area within the fenced in area was now considered part of the interior of the structure. Ms. Mantia also stated that the State had included the fenced in area as extra footage to the structure after their visit to the property. Ms. Mantia did note that the area was now in fact part of the bar itself and was indeed included in the overall footage of the bar. Therefore it was her understanding that interior of a structure did not need to come before the Board for approval.

Mr. Himes stated that he was not sure whether corrugated steel was used at the time the building was built, but he would suspect that it was. Mr. Himes also stated that the guidelines say that this was a temporary structure which there would be no objection to it and keeping with the period. Therefore, Mr. Himes **moved to approve the Application for Certificate of Appropriateness as submitted**, seconded by Mr. Bagi.

Chairperson Wert asked for further discussion.

Mr. Blake inquired if a building permit was applied for. Ms. Mantia said no, because she did not know that she needed one.

Chairperson Wert asked Staff if were known if the structure meets code. Mr. Spring said that the structure had not gone through the approval process at all. Essentially normally an applicant would seek Board approvals, and in this particular case that would include Planning Board and Restoration Board approvals. Then the applicant would submit the building schematics to Planning and Zoning. As long as the structure met the zoning requirements, a Zoning Permit would be issued along with the proper paper work for a Building Permit. The Permits would be taken to Miami County for approval of the overall structure. The applicant would then construct the structure per the plans submitted to the County. The County would then do a final inspection of the structure.

Mr. Spring stated that per this particular case, Board approvals still needed to be acquired to get to the point where Staff could issue a Zoning Compliance Permit. The County would not review the structure until Tipp City approves the zoning. Mr. Spring noted that Tipp City Planning Board had granted approval for Ms. Mantia at their January 8th, 2008 meeting.

Mr. Blake reminded everyone that their purview here was just the Restoration Guidelines and **if whether or not** the structure met those guidelines. Mr. Blake mentioned that the Board approved a fence and did not approve anything else. Mr. Blake noted that this was an awning that was **a** permanent accessory, but

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permanently installed with fans and electric. Mr. Blake said that it was worth commenting that it was almost as if it was an addition to the building. What Mr. Blake had not seen from the owners of the structure was any kind of restoration ~~in~~ plan ~~of~~ for the structure. He mentioned that there were windows that were boarded up with plywood and obvious maintenance issues on the outside of the building. Mr. Blake also mentioned that property owners that own property in the Restoration District should come before the Restoration Board with plans for the renovation of their structure as opposed to putting up structures and then coming to the Board for approval. Mr. Blake stated that this happens time after time to the Restoration Board and it will continue in the future and that was just something that they had to deal with. Mr. Blake noted that per this particular case the awning adds nothing esthetically to compliment the historical character of the building and for that reason he was inclined to deny the Certificate.

Chairperson Wert asked for further discussion.

Ms. Mantia noted that from the business aspect these things needed to be done to satisfy their customers. Ms. Mantia also noted that when she had originally came before the Board regarding the fence due to the smoking situation and new law issues, there were things as a business owner that they had to be faced to make accommodations for their customers. Ms. Mantia stated that the awning was placed for weather conditions and to provide a more comfortable environment for their patrons and that was the reasoning for the awning.

Mr. Blake noted that what the State does on the State level which affects Tipp City on a local level, better or for worse, it was the Restoration Board's job was to protect the historic character of the downtown. Mr. Blake also noted that City Council and Planning Board had different outlooks on issues. Mr. Blake stated that he wanted to know that property owners were proactively planning for the restoration and/or augmentation of their structures. Mr. Blake mentioned that this was a happenstance approach that as a Restoration Board Member he had a problem with it.

Ms. Mantia stated that the awning might not be part of the historic she was working towards accommodating the business aspects and was working toward the overall improvement of the structure.

Chairperson Wert asked for further discussion. There being none, she requested roll call vote. Ayes: Bagi, Watkins, and Himes. Nays: Wert, Blake, and Kidwell.
Tie vote.

Mr. Spring noted that the motion was to approve the application as submitted. The roll call vote resulted in a 3-3 tie which results in the application being placed on next month's regularly scheduled meeting date of February 26th, 2008 - Per Zoning Code Section §36.044(B) Voting: *A majority vote of those members present shall*

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be necessary to pass any item of business that is brought before the Restoration Board. Where only a quorum is present at any business meeting an affirmative vote of 3 members is necessary to validate the passage of any motion or recommendation. Any motion which results in a tie vote shall become automatically an agenda item for the next regular business meeting or, if so required by ordinance, at a specially called business meeting.

B. Nightingale Scents LLC, dba Studio des Parfumes - 128 E. Main Street, Tipp City, OH - Lot: Pt. IL 24 - The applicant requested Restoration Board approval for the placement of a projecting sign for the business located at 128 E. Main Street

Present zoning district: CC/RA- Community Center/Old Tippecanoe City Restoration and Historic District

Section(s): §154.052(I)(9)

Mr. Spring stated that the applicant requested Restoration Board approval for the placement of a projecting sign for the business located at 128 E. Main Street.

Mr. Spring also stated that the applicants have recently leased the structure located at 128 E. Main Street for the operation of *Studio des Parfumes*, which was a retailer and purveyor of custom perfumes. This storefront was the former location of *Schears Ice Cream*. The proposed projecting sign would replace the previous *Schears Ice Cream* projecting sign located on the northern (front) façade of the building. The proposed sign was +/- 9 sq. ft. in total area and would be constructed of either wood or aluminum. The proposed sign would be +/- 4' wide and +/- 2' tall. The double sided sign would include black lettering with a "Harrington" font, and a black border over a pale yellow/beige background. The proposed sign would utilize the existing projecting sign bracket previously used by the *Schears Ice Cream sign*.

Staff noted that per Section §154.100, the sign in question was within the parameters of the total allowable area for projecting signage (17 sq. ft.) for general commerce in a non-residential zoning district.

Mr. Spring mentioned that if the Restoration Board approved the applicant's request, a Certificate of Appropriateness would be issued in accordance with code. The applicant would then need to apply for a sign permit, which could be issued administratively upon approval of the Certificate of Appropriateness and payment of the corresponding permit fee.

Yvonne Lemming and Ellen Linkmeyer – 128 E. Main Street – Board Members reviewed an updated photo of the actual rendition of a perfume bottle that they wished to implement on the sign to be black in color.

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Chairperson Wert asked for further discussion. There being none, Mr. Blake **moved to approve the Certificate of Appropriateness as submitted**, seconded by Mr. Kidwell. **Motion carried.** Ayes: Blake, Kidwell, Wert, Himes, Watkins, and Bagi. Nays: None.

Annual Report

Staff had prepared an annual report of the work of the Restoration Board for 2007 in accordance with Code §36.047(C) which states:

§ 36.047 PLANNING PROCEDURES.

(C) The Restoration Board with the assistance of the Community and Economic Development Department and the Restoration Board Secretary shall prepare an annual report. A draft report shall be reviewed at the January meeting. A final report shall be prepared and provided to Council members and the public for review.

Accordingly, staff requested Restoration Board review of the report, with formal adoption upon any additions or corrections.

RESTORATION AND ARCHITECTURAL BOARD OF REVIEW 2007 ANNUAL REPORT

1. The Board met 10 times in 2007. A total of 21 requests for Certificates of Appropriateness were reviewed through December 2007. 21 requests were approved and/or approved with modifications, with zero (0) requests being denied.
2. On a monthly basis, copies of the Guidelines for the Old Tippecanoe City Restoration and Architectural District booklet were mailed to all new residents/tenants and business owners within the Historical District.
3. In 2007, the City of Tipp City completed its first grant in association with the Certified Local Government (CLG) program. This 60/40 grant provided \$20,000 in funding for the promulgation of a Historic Preservation Plan for Tipp City. The Historic Preservation Plan provides a framework for historic preservation and will document and assess our current historic resources and establish goals and objectives for future preservation efforts. Council adopted (Res. 10-07) the Tipp City Historic Preservation Plan. This grant also provided for three educational workshops. Two of these workshops took place in February of 2007. The first, "What Style Is It" examined American architectural styles and illustrated many examples within Tipp City. The second workshop, "How to Care for Your Historic Building" examined common issues facing owners of older properties.
4. In 2007, Tipp City sought, and was granted 70/30 Certified Local Government grant funding for FY 2008. This grant will fund the promulgation of a Multiple Property

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Documentation and National Register nominations for the S&G Painting building and the Saunders Seed building.

5. A modification to Code § 154.052(M) was reviewed and recommended to City Council regarding the circumstances and procedures for appeals of decisions of the Restoration and Architectural Board of Review (Ord. 24-07, passed 8-6-07).
6. Utilization of a Community Development Block Grant allowed five of the recommended wooden Restoration District boundaries signs to be installed on side streets within the Historic District in 2007. The remaining seven side street signs have been received by the City, and are to be installed in early 2008.
7. The Board also updated the existing photographic records of the Old Tippecanoe City Restoration and Architectural District during October of 2007. During this update, several photographs were taken of each structure within the District.
8. Board Member Sadie Gaster tendered her resignation from the Restoration Board due to the fact that she has moved her residence to outside the corporate limits of Tipp City.

Board Members reviewed the 2007 Annual Report. Chairperson Wert asked for further discussion. There being none, Mr. Himes **moved to approve the 2007 Annual Report as written and to forward to City Council**, seconded by Mr. Kidwell. **Motion carried.** Ayes: Himes, Kidwell, Bagi, Watkins, Blake, and Wert. Nays: None.

Old Business

There was none.

Miscellaneous

- Certified Local Government Grant

Mr. Spring stated that we had been approved for the Certified Local Government grant request for fiscal year 2008. Mr. Spring also stated that the City would be proceeding with multiple property documentation, essentially surrounding the railroad tracks and the industrial development around said tracks; leading to a nomination for the National Register for the S&G Paint and for the Saunder's Seed buildings. Mr. Spring stated that he hoped to be completed by the summer of 2008.

Board Members inquired if assistance was required from the Board. Mr. Spring stated that there may be an opportunity for the Board Members to attend a public meeting and would inform the Board Members if other opportunities would come about.

- Letter to City Council

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Mr. Blake **moved that the new Chairperson with Staff's assistance, draft a letter to City Council to act on applications to serve on the Restoration Board as they are presented, to be drafted within the next fourteen days,** seconded by Chairperson Wert. Mr. Blake stated that apparently City Council was waiting until more than one application was received before they act.

Chairperson Wert asked for further discussion. There being none, Chairperson Wert called for the vote. Ayes: Blake, Wert, Kidwell, Himes, Watkins, and Bagi.

- City Charter

Mr. Blake stated that the City Charter was to be reviewed this year. Mr. Blake stated that the Restoration Board was added to the City's Charter by a vote of all of the citizens of Tipp City which to many proved a value of the Restoration Board to all of the citizens of Tipp City and their will to preserve the downtown. Mr. Blake noted that the Charter would be reviewed by a panel of interested citizens and then recommendations to any changes to the Charter would then be presented to the City Council. Mr. Blake also noted that if City Council deems any changes necessary they will be put on the ballot in the fall. Mr. Blake stated this was a pretty big deal because that was how the Board was added to the Charter. This Board could only be done away with by a vote of all the citizens of Tipp City.

Mr. Blake said that if the Board Members or any other citizen sees anything in the Charter that they think needs changed, now was the time, and he thought it relevant because that was how this Board became a part of the law of Tipp City.

Adjournment

Chairperson Wert asked for further discussion or comments. There being none, Mr. Bagi **moved for adjournment,** seconded by Mr. Kidwell and unanimously approved. Meeting adjourned at 8:18 p.m.

APPROVED: _____
Chairperson Janine Wert

ATTEST: _____
Mrs. Kimberly Patterson - Board Secretary